

REMARKS

Continued prosecution and consideration of the claimed subject matter in the above-identified patent application is respectfully requested.

Claims 9-29 were cancelled previously. Claims 1-8 are in the case and before the Examiner. Claim 1 has been amended.

A. The Amendment

Claim 1 has been amended to provide agreement between the introductory phrase and concluding phrase. It is apparent that no new matter has been added.

B. The Action1. Rejection Under 35 USC §112, First Paragraph

All of the claims have been rejected under 35 USC §112, first paragraph as allegedly not being enabled. More specifically, the Action asserts that the statement concerning an extraoral devise being similarly prepared for use in reshaping cranial bones etc. is an inadequate disclosure to enable a worker of ordinary skill in this art to make and use the claimed invention. This basis for rejection cannot be agreed with and is respectfully traversed.

It is respectfully submitted that the intraoral device that is described on pages 14-16 and whose use has been illustrated is the difficult device to make and use. Once a skilled worker has understood that device, it is submitted that there is more than enough information for such a worker to make and use the extraoral device. A declaration by the inventor to this effect can be provided if it is desired. As such, it is submitted that this basis for rejection should be withdrawn.

**BEST AVAILABLE COPY**

2. Rejection Under 35 USC §112, Second Paragraph

All of the claims were similarly rejected under the Second Paragraph of Section 112 as allegedly being indefinite in that it is said that the statements "in a direction lateral to the sutures" and "amount of osteogenesis" were unclear. It was also asserted that it was unclear how applying cyclical forces to the cranial sutures of claim 7 was further limiting. As discussed below, these bases for rejection cannot be agreed with and this rejection is respectfully traversed.

Looking first to claim 7, it is submitted that the independent claim does not recite at which places the cyclical forces are applied. Claim 7 recites that place, and is therefore believed to be more limiting. It is thus believed that this basis for rejection should be withdrawn.

The alleged lack of clarity concerning "in a direction lateral to the sutures" is not understood. As is well known in this art, cranial sutures are lines of joining of the different bones of the skull. All skulls have them. Counsel's Webster's New Collegiate Dictionary of 1981 defines "lateral" as "[o]f or relating to the side; situated on, directed toward, or coming from the side; ..." (Copy enclosed as Exhibit I.) It is submitted that the objected to, quoted phrase means in a direction "sideways" to the sutures and is very clear. As a result, this basis for rejection should be withdrawn.

The alleged lack of clarity of the phrase "amount of osteogenesis" is also not understood. Osteogenesis is a word that is well known and understood in this art to mean bone growth. The undersigned did a Google search for that word and found 120,000 "hits" requiring 0.35 seconds of search time. Claim 1 has also been amended to provide agreement between the

introductory and concluding phrases of the claim. It is submitted that this basis for rejection should be withdrawn.

B. Summary

Each basis for rejection has been dealt with and overcome or otherwise made moot. It is therefore believed that this application is in condition for allowance of all of the claims. An early notice to that effect is earnestly solicited.

No further fee or petition is believed to be necessary. However, should any further fee be needed, please charge our Deposit Account No. 23-0920, and deem this paper to be the required petition.

The Examiner is requested to phone the undersigned should any questions arise that can be dealt with over the phone to expedite this prosecution.

Respectfully submitted,

By Edward P. Gamson  
Edward P. Gamson Reg. No. 29,381

Enclosure: Exhibit I

WELSH & KATZ, LTD.  
120 South Riverside Plaza, 22nd Floor  
Chicago, Illinois 60606  
Phone (312) 655-1500  
Fax No. (312) 655-1501

A  
3



WEBSTER'S  
New  
Collegiate  
Dictionary

Exhibit I

Copyright © 1981 by G. & C. Merriam Co.

Philippines Copyright 1981 by G. & C. Merriam Co.

Library of Congress Cataloging in Publication Data  
Main entry under title:

Webster's new collegiate dictionary.

Editions for 1898-1948 have title: Webster's collegiate dictionary.

Includes index.

1. English language—Dictionaries.

PE1628.W4M4 1981 423 80-25144

ISBN 0-87779-408-1

ISBN 0-87779-409-x (indexed)

ISBN 0-87779-410-3 (deluxe)

Webster's New Collegiate Dictionary principal copyright 1973

COLLEGIATE trademark Reg. U.S. Pat. Off.

*All rights reserved. No part of this work covered by the copyrights hereon may be reproduced or copied in any form or by any means—graphic, electronic, or mechanical, including photocopying, recording, taping, or information storage and retrieval systems—with written permission of the publisher.*

Made in the United States of America

504948 RMcN8281

## late ● latter

- 1 see TARDY *ant* early, punctual, prompt 2 see DEAD 3 sec MODERN — late-ness *n*
- <sup>2</sup>late *adv* later; latest 1 *a*: after the usual or proper time (got to work ~) *b*: at or to an advanced point of time (saw her ~ in the day) — often used with *on* 2: not long ago : RECENTLY (a man ~ of Chicago) — of late : in the period shortly or immediately preceding : RECENTLY (have not seen him of late)
- late blight *n* : a disease of solanaceous plants (as the potato and tomato) that is caused by a fungus (*Phytophthora infestans*) and is characterized by decay of stems, leaves, and in the potato also of tubers
- late-comer \lāt-kōm-ər\ *n* : one that arrives late; also : a recent arrival
- late-d \iota\at-əd\ *adj* : RELATED
- lateen \lā-tēn\ *adj* [F (*vole*) *latine* lateen sail] : being or relating to a rig used esp. on the north coast of Africa and characterized by a triangular sail extended by a long spar slung to a low mast
- lateen *n* 1 also *la-teen-ər* \lātē-nər\ : a lateen-rigged ship 2 : a lateen sail
- Late Greek *n* : the Greek language as used in the 3d to 6th centuries
- Late Latin *n* : the Latin language used by writers in the 3d to 6th centuries
- late-ly \lāt-ē\ *adv* : of late : RECENTLY (has been friendlier ~)
- laten \lātēn\ *vb* latened; laten-ing \lāt-niŋ-, -n-iŋ\ *vi* : to grow late ~ *vt* to cause to grow late
- laten-cy \lāt-nēs\ *n* pl -cies 1: the quality or state of being latent; DORMANCY 2: something latent 3: a stage of personality development that extends from about the age of five to the beginning of puberty and during which sexual urges often appear to lie dormant 4: LATENT PERIOD 2
- latency period *n* 1: LATENCY 3: LATENT PERIOD 2
- La Tène \lā-tēn, -tin\ *adj* [La Tène, shallows of the Lake of Neuchâtel, Switzerland] : of or relating to the later period of the Iron Age in Europe assumed to date from 500 B.C. to A.D. 1
- laten-sif-lic-ation \lā-tēn(t)-sif-ikā-shən, lā-\n [blend of 'latent' and 'intensification'] : intensification of a latent photographic image by chemical treatment or exposure to light of low intensity — laten-sif-ly \lātēn(t)-sif-lik\ *vi*
- latent \lāt-nt\ *adj* [L *latent*, *latens*, fr. pp. of *latere* to lie hidden; akin to OHG *luog* den, Gk *lanthanô* to escape notice] : present and capable of becoming though not now visible or active (as infection) (his desire for success remained ~)
- syn LATENT, DORMANT, QUIESCENT, POTENTIAL, ABEVANT shared meaning element: not now manifest or showing signs of existence or activity *ant* patent
- <sup>2</sup>latent *n* : a fingerprint (as at the scene of a crime) that is scarcely visible but can be developed for study
- latent heat *n* : heat given off or absorbed in a process (as fusion or vaporization) other than a change of temperature
- latent period *n* 1: the incubation period of a disease 2: the interval between stimulation and response
- latent root : a characteristic root of a matrix
- later \lāt-ər\ *vb* comb form [ME *-latere*, fr. MF *-latre*, fr. LL *-latres*, fr. Gk *-latres* akin to Gk *latron* pay — more at LARCENY] : worshiper (iconolater)
- latered \lāt-ə-red\ *adj* [L *later*, *latus*] : toward the side
- lateral \lāt-ə-rəl, \lāt-ərəl\ *adj* [L *lateralis*, fr. *later*, *latus* side] : of or relating to the side : situated on, directed toward, or coming from the side — later-ally \lāt-ə-lē\ *adv*
- <sup>2</sup>lateral *n* 1: a side ditch or conduit (as in a water system) 2: a mining drift to one side of and parallel to a main drift 3: a pass in football thrown parallel to the line of scrimmage or in a direction away from the opponent's goal
- <sup>2</sup>lateral *vi* : to throw a lateral
- lateral bud *n* : bud that develops in the axil between a petiole and a stem — called also *axillary bud*
- lateral line *n* : a canal along the side of a fish containing pores that open into tubes supplied with sense organs sensitive to low vibrations; also : one of these tubes or sense organs
- lateralite \lāt-ə-rīt\ *n* [L *later* brick] : a residual product of rock decay that is red in color and has a high content in the oxides of iron and hydroxide of aluminum — later-itic \lāt-ə-tīt-ik\ *adj*
- lateralite \lāt-ə-rā-tā-shən\ *n* : the process of conversion of rock to laterite
- latest \lāt-əst\ *n* 1: the most recent or currently fashionable style or development (the ~ in diving techniques) 2: the latest acceptable time — usu. used in the phrase *at the latest* (be home by one *at the latest*)
- late-wood \lāt-wūd\ *n* : SUMMERWOOD
- late-x \lāt-tek\ *n*, pl latexes \lāt-ə-sēz, \lāt-\ or latexes *[NL latex, fr. L, fluid]* 1: a milky usu. white fluid that is produced by cells of various seed plants (as of the milkweed, spurge, and poppy families) and is the source of rubber, gutta-percha, chicle, and balata 2: a water emulsion of a synthetic rubber or plastic obtained by polymerization and used esp. in coatings (as paint) and adhesives — latecificerous \lāt-ə-sif-ərəs, lat-\ *adj* *lath* \lāth\ also *lath* *n*, pl laths or lath [ME, fr. OE *læf*; akin to OHG *latt* lath, W (*lath* yard)] 1: a thin narrow strip of wood nailed to rafters, joists, or studding as a groundwork for slates, tiles, or plaster 2: a building material in sheets used as a base for plaster 3: a quantity of laths
- <sup>2</sup>lath *vi* : to cover or line with laths
- lathe \lāth\ *n* [prob. ME *lathe* supporting stand] : a machine in which work is rotated about a horizontal axis and shaped by a fixed tool
- <sup>2</sup>lathe \iota\at-hə\ *vi* lathe'd; lathe-ing : to cut or shape with a lathe
- lathe \lāth-ər\ *n* [assumed] ME, fr. OE *leather*; akin to OE *leag* lye — more at LYÉ] 1 *a*: a foam or froth formed when a detergent (as soap) is agitated in water *b*: foam or froth from profuse sweating (as on a horse) 2: an agitated or overwrought state : DITHER — lathe-ry \lāth-ə-rē\ *adj*
- <sup>2</sup>lather vb lathe-ed; lathe-ing \lāth-ə-ring\ *vi* 1: to spread lather over 2: to beat severely : FLOG ~ *vi* : to form a lather or a froth like lather — lathe-er \lāth-ər\ *n*
- lathing \lāth-ing, \lāth-\ *n* 1: the action or process of placing laths 2: a quantity or an installation of laths
- lath-y-ri-sm \lāth-ə-riz-əm\ *n* [NL *Lathyrus*, genus name, fr. Gk *lathyrus*, a type of pea] : a diseased condition of man, domestic animals, and esp. horses that results from poisoning by a substance found in some legumes (genus *Lathyrus* and esp. *L. sativus*) and is characterized esp. by spastic paralysis of the hind or lower limbs
- lath-y-rit-ic \lāth-ə-rīt-ik\ *adj* : of, relating to, affected with, or characteristic of lathyrism (~ rats) (~ cartilage)
- lattice pl of LATEX
- lat-tic-for \lāt-ik-fər\ *n* [ISV *latici-* (fr. NL *latic-*, *latex*) + -fer] : a plant cell or vessel that contains latex
- lat-fund-io \lāt-fünd-ē-ō\ *n*, pl -di-os [Sp, fr. L *latifundium*] : a latifundium in Spain or Latin America
- lat-fund-um \lāt-fünd-əm\ *n*, pl -dia \lāt-dē-ə\ [L, fr. *latus* wide + *fundus* piece of landed property — more at BOTTOM] : a great landed estate with primitive agriculture and labor often in a state of partial servitude
- lat-strap \lāt-strap\ *n*, pl -straps also -goes [Sp *látigo*] chiefly West : a long strap on a saddletree to tighten and fasten the cinch
- lat-mo-rie \lāt-mōrē\ *n* [NL, genus name, fr. Marjorie E. D. Courtenay-Latimer b. 1907 So. African museum director] : any of a genus (*Latimeria*) of living coelacanth fishes of deep seas off southern Africa
- <sup>1</sup>Latin \lāt-in\ *adj* [ME, fr. OE, fr. L *Latinus*, ancient country of Italy] 1: of or relating to Latin or the Latins 2: a : of, relating to, or composed in Latin b : ROMANCE 3: of or relating to the part of the Catholic Church that until recently used a Latin rite and forms the patriarchate of the pope 4: of or relating to the peoples or countries using Romance languages; specif: of or relating to the peoples or countries of Latin America
- <sup>2</sup>Latin *n* 1: the Italic language of ancient Latin and of Rome and until modern times the dominant language of school, church, and state in western Europe — see INDO-EUROPEAN LANGUAGES table 2: a member of the people of ancient Latinum 3: a Catholic of the Latin rite 4: a member of one of the Latin peoples; specif: a native or inhabitant of Latin America 5: the Latin alphabet
- Latin-ate \lāt-in-āt\ *adj* : of, relating to, resembling, or derived from Latin
- Latin cross *n* : a figure of a cross having a long upright shaft and a shorter crossbar traversing it above the middle — see CROSS illustration
- Latin-ian \lāt-in-ē-an, lā-\n : a division of the Italic languages that includes Latin — see INDO-EUROPEAN LANGUAGES table
- Latin-ism \lāt-in-iz-əm\ *n*, pl -isms 1: a characteristic feature of Latin occurring in another language 2: Latin quality, character, or mode of thought
- Latin-ist \lāt-in-ist, \lāt-n̄-ist\ *n* : a specialist in the Latin language or Roman culture
- Latin-ity \lāt-in-ē-tē\ *n*, often cap 1: a manner of speaking or writing Latin 2: LATINISM 2
- lat-in-ize \lāt-in-iz\ *vb* lat-in-ized; lat-ing often cap, vt 1 *a* obs: to translate into Latin *b*: to give a Latin form to *c*: to introduce Latinisms into *d*: ROMANIZE 2 *b*: to make Latin or Italian in doctrine, ideas, or traits; specif: to cause to resemble the Roman Catholic Church — vi 1: to use Latinisms 2: to exhibit the influence of the Romans or of the Roman Catholic Church — lat-in-iza-tion \lāt-n̄-zā-shən, \lāt-n̄-zā-\n
- Latin Quarter *n* [trans. of *F Quartier Latin*] : a section of Paris south of the Seine frequented by students and artists
- Latin square *n* : a square array in which the number of elements is the same as the number of columns and no element occurs twice in the same column or row and which is used esp. in the statistical design of experiments (as in agriculture)
- latish \lāt-ish\ *adj* : being somewhat late
- latitude \lāt-üd\ *n* [ME, fr. L *latitudin-, latitudo*, fr. *latus* wide; akin to Arm *lai* wide] 1 *archaic* : extent or distance from side to side : WIDTH 2: angular distance from some specified circle or plane of reference: as *a*: angular distance north or south from the earth's equator measured through 90 degrees *b*: angular distance of a celestial body from the ecliptic *c*: a region or locality as marked by its latitude 3: *a* *archaic* : SCOPE, RANGE *b*: the range of exposures within which a film or plate will produce a negative or positive of satisfactory quality 4: freedom of action or choice — lat-tu-di-nal \lāt-ü-dī-nəl\ *adj* — lat-tu-di-nal-ly \lāt-ü-dī-nəl-ē\ *adv*
- latitude 2a: hemisphere marked with parallels of latitude
- latitu-din-er-ian \lāt-ü-dī-nē-ən\ *n* : a person who is broad and liberal in his standards of religious belief and conduct
- latitudinarian \iota\at-tü-dī-när-ē-ən\ *adj* — lat-tu-di-nar-ian-ism \lāt-ü-dī-niz-əm\ *n*
- lat-so-sol \lāt-ə-sōl\ *n* [irreg. fr. L *latus* brick + E *-sol* (as in *podsol*, var. of *podzol*)] : a leached red and yellow tropical soil — lat-ic \lāt-ə-sōl-ik\ *adj*
- latrine \lāt-rēn\ *n* [F, fr. L *latrina*, contr. of *lavatrina*, fr. *lavare* to wash — more at LYÉ] 1: a receptacle (as a pit in the earth) for use as a toilet 2: TOILET
- lat-trie \lāt-trē\ *n* comb form [ME *-latrie*, fr. OF, fr. LL *-latria*, fr. Gk, fr. *latreia*] : worship (heliolatriy)
- lat-ton or lat-ton \lāt-ə-n\ *n* [ME *latton*, fr. MF] 1: a yellow alloy identical to or resembling brass typically hammered into thin sheets and formerly much used for church utensils 2 *a*: iron plate covered with tin *b*: metal in thin sheets (gold ~)
- lat-ter \lāt-ər\ *adj* [ME, fr. OE *lattra*, compar. of *lat* late] 1: more recent: LATER (the ~ stages of a process) *b*: of or relating to the end: FINAL *c*: RECENT, PRESENT 2: of, relating to, or
- 

**This Page is Inserted by IFW Indexing and Scanning  
Operations and is not part of the Official Record**

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- BLACK BORDERS**
- IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- FADED TEXT OR DRAWING**
- BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- SKEWED/SLANTED IMAGES**
- COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- GRAY SCALE DOCUMENTS**
- LINES OR MARKS ON ORIGINAL DOCUMENT**
- REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- OTHER:** \_\_\_\_\_

**IMAGES ARE BEST AVAILABLE COPY.**

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.